

REMARKS

This Preliminary Amendment is submitted to present the above amendments, and is further responsive in any other manner indicated below.

CLAIMS FOR PRIORITY UNDER §§119 AND 120

Applicant claims priority under §119 of JP 11-001672 filed 7 January 1999, the certified copy of which was filed 6 January 2000 in Application No. 09/478,343, upon which benefit is claimed in the present application under §120. The specification of the present continuation has been amended to identify all of the applications upon which benefit is claimed in the present case under §120.

Applicant respectfully requests written confirmation of the completion of requirements for claims of priority under §§119 and 120 in the present application.

PENDING CLAIMS

Unrelated to any cited art, scope or rejection in any prior application, Claim 1 has been cancelled without prejudice or disclaimer, and new Claims 2-5 are presented herein to adjust a clarity and/or focus of Applicant's claimed invention. That is, new Claims 2-5 are simply clarified claims in which Applicant is presently interested. For example, one of the novel features/limitations in Claim 2 is "continuously changing a gain." Support for the new Claims 2-5 is found throughout the application as filed, e.g., at page 5, lines 5-19; page 6, lines 16-20; and page 7, lines 2-5.

At entry of this paper, Claims 2-5 are pending in the application for consideration and examination.

Applicant hereby respectfully informs the USPTO that additional claims for consideration in the present case may be presented in a timely-filed Supplemental Preliminary Amendment.

ASSIGNEE OF ENTIRE INTEREST

HITACHI, LTD. is Assignee of entire right, title and interest in and to the present continuation application by virtue of the Assignment filed in Application No. 09/478,343 and recorded 6 January 2000 at Reel 010503, Frames 0010 *et seq.*

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.


EXAMINER INVITED TO TELEPHONE

The Examiner is invited to telephone the undersigned at the local D.C. area number 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.

CONCLUSION

This Preliminary Amendment is being submitted with the present continuation application, and no Petition or extension fee is required or possible. Please charge any actual required fees for entry of this paper to ATS&K Deposit Account No. 01-2135 (referencing Case No. 500.38056CC3).

Respectfully submitted,



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